



Entered on Docket
December 06, 2010

Bruce A. Markell

Hon. Bruce A. Markell
United States Bankruptcy Judge

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Wells Fargo Bank, NA dba Americas Servicing Company successor by merger to Wells Fargo Home Mortgage, Inc.
09-72638 / xxxxxx5016

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In Re:

Heather M. Puglisi

Debtors.

08-14829-bam
Order no. 46

Chapter 13

ORDER VACATING AUTOMATIC STAY

Pursuant to the Declaration re Breach of Condition filed on November 15, 2010 and Debtors failure to cure the default prior to its expiration, and good cause appearing.

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the
2 above-entitled bankruptcy proceeding is immediately vacated and extinguished for all purposes as to
3 Secured Creditor, Wells Fargo Bank, NA dba Americas Servicing Company successor by merger to
4 Wells Fargo Home Mortgage, Inc. its assignees and/or successors in interest, and Secured Creditor may
5 proceed with a foreclosure of and hold a Trustee's Sale of the subject property, generally described as
6 9303 Gilcrease Avenue 1194, Las Vegas NV and legally described as follows:

7 PARCEL ONE (1)

8 AN UNDIVIDED 1172 INTEREST AS TENANT IN COMMON IN AND TO THE FINAL
9 MAP OF AVENTINE/BARADA UNIT 2B, AS SHOWN BY MAP THEREOF ON FILE IN
10 BOOK 113 OF PLATS, PAGE 11, IN THE OFFICE OF THE COUNTY RECORDER OF
11 CLARK COUNTY, NEVADA.

12 EXCEPTING THEREFROM THE FOLLOWING, ALL UNITS IN ALL
13 RESIDENTIAL BUILDINGS AND DESIGNATED EXCLUSIVE USE EASEMENTS AS
14 SHOWN ON THE CONDOMINIUM PLAT REFERRED TO ABOVE.

15 AND RESERVING THEREFROM, THE RIGHT TO POSSESSION OF ALL THOSE AREAS
16 DESIGNATED AS EXCLUSIVE USE EASEMENTS SHOWN UPON THE
17 PLAT REFERRED TO ABOVE.

18 AND FURTHER RESERVING THEREFROM FOR THE BENEFIT OF OWNERS IN
19 FUTURE DEVELOPMENT, NON-EXCLUSIVE EASEMENTS IN, TO AND OVER THE
20 COMMON AREA AS DEFINED AND SHOWN UPON THE CONDOMINIUM PLAT
21 REFERRED TO ABOVE. FOR INGRESS, EGRESS AND ENJOYMENT, SUBJECT TO THE
22 TERMS AND MORE PARTICULARLY SET FORTH IN THE DECLARATION OF
23 COVENANTS, CONDITIONS AND RESTRICTIONS AND RESERVATION OF
24 EASEMENTS FOR AVENTINE-TRAMONTI HOMEOWNERS ASSOCIATION,
25 RECORDED OCTOBER 28, 2003 IN BOOK 20031028 AS DOCUMENT NO. 00649. AS THE
26 SAME MAY FROM TIME TO TIME BE AMENDED AND/OR SUPPLEMENTED OF
OFFICIAL RECORDS, EXCEPTING FROM THE COMMON AREA, ANY RESIDENTIAL
BUILDINGS THEREFROM AND ANY PORTION THEREOF WHICH IS DESIGNATED AS
EXCLUSIVE USE EASEMENTS.

22 PARCEL TWO (2):

23 LIVING UNIT 1194 IN BUILDING 62 AND GARAGE APPURTENANT THERETO OF THE
24 FINAL MAP OF A VENTINE/BARADA UNIT 2B, AS SHOWN BY MAP THEREOF ON
25 FILE IN BOOK 113 OF PLATS, PAGE 11, IN THE OFFICE OF THE COUNTY RECORDER
26 OF CLARK COUNTY, NEVADA.

25 PARCEL THREE (3):

26 THE EXCLUSIVE RIGHT TO USE, POSSESSION AND OCCUPANCY OF THOSE
PORTIONS OF PARCEL ONE (1) DESCRIBED ABOVE AS LIMITED COMMON

ELEMENTS OF THE CONDOMINIUM SUBDIVISION REFERRED TO ABOVE. WHICH RIGHT IS APPURTENANT TO PARCELS ONE (1) AND TWO (2) ABOVE DESCRIBED.

PARCEL FOUR (4):

A NON-EXCLUSIVE EASEMENT OF ACCESS, INGRESS, EGRESS, USE AND EMPLOYMENT OF, IN, TO AND OVER THE COMMON ELEMENTS OF THE FINAL MAP OF A VENTINE/BARADA UNIT 2B, ON FILE IN BOOK 113 OF PLATS, PAGE 11, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA. AND FUTURE UNITS. WHICH EASEMENT IS APPURTENANT TO PARCELS ONE (1) AND TWO (2) DESCRIBED ABOVE.

pursuant to applicable State Laws. and thereafter commence any action necessary to obtain complete possession of the subject property.

IT IS FURTHER ORDERED. ADJUDGED, AND DECREED that Secured Creditor hereby withdraws its secured Proof of Claim filed in this matter. The Secured Creditor shall notify the Trustee of the completion of the foreclosure sale. If applicable, Secured Creditor may thereafter amend its secured Proof of Claim to an unsecured Proof of Claim no later than forty-five (45) days after the foreclosure sale.

Submitted by:

Wilde & Associates

By

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